

FORM PTO-1390
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

KEYS DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

1890-0018

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

Not Yet Assigned

09/936840

INTERNATIONAL APPLICATION NO.

PCT/IE00/00034

INTERNATIONAL FILING DATE

March 20, 2000

PRIORITY DATE CLAIMED

March 18, 1999

TITLE OF INVENTION A SURGICAL ACCESS DEVICE

APPLICANT(S) FOR DO/EO/US Damien ROSNEY, Christy CUMMINS, Donal BERMINGHAM

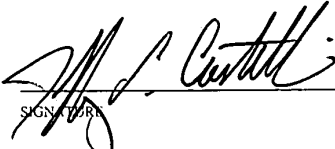
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

- 1.) International Preliminary Examination Report W/Amended Sheets and Claims
- 2.) World Publication WO 00/54677 Published September 21, 2000
- 3.) Two (2) Sheets of Drawings (Figs. 1-7)
- 4.) Application Data Sheet

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|--|--------------|--|-----------|--|-----------|--------------|--|--|
| U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.53) Not Yet Assigned | | INTERNATIONAL APPLICATION NO. PCT/IE00/00032 | | AT PCT KEY DOCKET NUMBER 1890-0018 | | | | |
| 21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(3)) paid to USPTO \$710.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | CALCULATIONS | | PTO USE ONLY | | |
| | | | | \$860.00 | | | | |
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| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ 130.00 | | | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | | | | |
| Total claims | 12 - 20 = | ----- | X \$18.00 | \$ ----- | | | | |
| Independent claims | 1 - 3 = | ----- | X \$80.00 | \$ ----- | | | | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) Yes | | | | + \$270.00 | \$ 270.00 | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 1260.00 | | | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ | | | | |
| SUBTOTAL = | | | | \$ 1260.00 | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | | | | |
| TOTAL NATIONAL FEE = | | | | \$ 1260.00 | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | | | \$ ----- | | | | |
| TOTAL FEES ENCLOSED = | | | | \$ 1260.00 | | | | |
| | | | | Amount to be refunded: | | \$ | | |
| | | | | charged: | | \$ | | |
| a. <input checked="" type="checkbox"/> A check in the amount of <u>\$1260.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-2380</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-2380 (1890-0018)</u> . A duplicate copy of this sheet is enclosed. | | | | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | | | | | |
| SEND ALL CORRESPONDENCE TO: <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> NIXON PEABODY LLP 8180 Greensboro Drive Suite 800 McLean, Virginia 22102 </div> <div style="width: 35%; text-align: right;">  _____ Jeffrey L. Costellia NAME <u>#35,483</u> REGISTRATION NUMBER JLC/sas September 18, 2001 </div> </div> | | | | | | | | |

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